

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled CELL ACTIVATOR, PROCESS FOR PRODUCING CELL ACTIVATOR AND APPARATUS THEREFOR; PCT Application No. PCT/JP2003/014024, filed in the Japanese Receiving Office on October 31, 2003; the documentation for entry into the U.S. national phase was filed on April 29, 2005 as Application Serial No. 10/533,360;

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

<u>PRIOR FOREIGN APPLICATION(S)</u>	<u>Priority Claimed</u>
No. 2002-320570	Country: Japan Date Filed: 11/01/02 Yes

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

1-00 Full name of first inventor: Yoichiro NAGASU

Inventor's signature Yoichiro Nagasu

Date August 1 2005

Residence: 15, Saiwaicho 9-chome, Atugi-shi, Kanagawa 243-0012 Japan J PX

Citizenship: Japan

Post Office Address: Same as above

2-W Full name of second inventor: Shin AIZAWA

Inventor's signature Shin Aizawa

Date August 1, 2005

Residence: 46, Toyotamaue 2-chome, Nerima-ku, Tokyo 176-0011 Japan JPX

Citizenship: Japan

Post Office Address: Same as above

3-10 Full name of third inventor: Toshihisa HOSHIAI

Inventor's signature Toshihisa Hoshiai

Date August 3, 2005

Residence: 1-5, Nakahara 2-chome, Mitaka-shi, Tokyo 181-0005 Japan JPX

Citizenship: Japan

Post Office Address: Same as above

4-10 Full name of fourth inventor: Tadatomo NAGAO

Inventor's signature Tadatomo Nagao

Date August 5, 2005

Residence: 1357, Matsubashi Matsubashimati, Shimomashiki-Gun, Kumamoto 869-0502 Japan JPX

Citizenship: Japan

Post Office Address: Same as above

5-10 Full name of fifth inventor: Masaya NAGASU

Inventor's signature Masaya Nagasu

Date August 8, 2005

Residence: 22-9, Kameari 1-chome, Katsushika-ku, Tokyo 125-0061 Japan JPX

Citizenship: Japan

Post Office Address: Same as above

6-10 Full name of sixth inventor: Shouichi NONAKA

Inventor's signature Shouichi Nonaka

Date August 6, 2005

Residence: 9-37, Kasuga 2-chome, Kumamoto-shi, Kumamoto 860-0047 Japan J PX

Citizenship: Japan

Post Office Address: Same as above

Send Correspondence To:  
KNOBBE, MARTENS, OLSON & BEAR, LLP  
Customer No. 20,995

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062805

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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	:	NAGASU, et al.	)
App. No.	:	10/533,360	)
Filed	:	April 29, 2005	)
For	:	CELL ACTIVATOR, PROCESS FOR PRODUCING CELL ACTIVATOR AND APPARATUS THEREFOR	)
Examiner	:	Unknown	)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14<sup>th</sup> Floor, Irvine, California 92614, Telephone (949) 760-0404, Customer No.

App. No. : 10/533,360  
Filed : April 29, 2005

20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

Dated: August 12, 2005 By: Yoichiro Nagasu  
Yoichiro NAGASU

Address: 15, Saiwaicho 9-chome,  
Atsugi-shi, Kanagawa 243-0012  
Japan

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Client Code: YONED.001APC

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Application No.: 10/533,360  
Filing Date: April 29, 2005

## ASSIGNMENT

WHEREAS, We, Yoichiro Nagasu, a Japanese citizen, residing at 15, Saiwaicho 9-chome, Atugi-shi, Kanagawa 243-0012 Japan; Shin Aizawa, a Japanese citizen, residing at 46, Toyotamaue 2-chome, Nerima-ku, Tokyo 176-0011 Japan; Toshihisa Hoshiai, a Japanese citizen, residing at 1-5, Nakahara 2-chome, Mitaka-shi, Tokyo 181-0005 Japan; Tadatomo Nagao, a Japanese citizen, residing at 1357, Matsubashi Matsubashimati, Shimomashiki-Gun, Kumamoto 869-0505 Japan; Masaya Nagasu, a Japanese citizen, residing at 22-9, Kameari 1-chome, Katsushika-ku, Tokyo 125-0061 Japan, and Shouichi Nonaka, a Japanese citizen, residing at 9-37, Kasuga 2-chome, Kumamoto-shi, Kumamoto 860-0047 Japan, have invented certain new and useful improvements in a CELL ACTIVATOR, PROCESS FOR PRODUCING CELL ACTIVATOR AND APPARATUS THEREFOR, which we have filed an application for Letters Patent in the United States, on April 29, 2005 as Application Serial No. 10/533,360;

AND WHEREAS, Yoichiro Nagasu (hereinafter "ASSIGNEE"), a Japanese citizen, residing at 15, Saiwaicho 9-chome, Atugi-shi, Kanagawa 243-0012 Japan, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to us in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, his successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, his successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, his successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, his successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

This 1 day of August, 2005

Yoichiro Nagasu  
Yoichiro NAGASU

This 1 day of August, 2005

Shin Aizawa  
Shin AIZAWA

Witness

Witness

This 3 day of August, 2005

Toshihisa Hoshiai  
Toshihisa HOSHIAI

This 5 day of August, 2005

Tadatomo Nagao  
Tadatomo NAGAO

This 8 day of August, 2005

Masaya Nagasu  
Masaya NAGASU

This 6 day of August, 2005

Shoichi Nonaka  
Shoichi NONAKA

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Witness

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